

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

MARY L. “NICKI” M. BOLAND

PLAINTIFF

VERSUS

CAUSE NO. 3:17-CV-803-HSO-LRA

MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY

DEFENDANT

JURY TRIAL DEMANDED

COMPLAINT

This is an action to recover actual damages for sex discrimination. The following facts support the action:

1.

Plaintiff MARY L. “NICKI” M. BOLAND is an adult resident citizen of 2018 Meadowbrook Road, Jackson, Mississippi 39211.

2.

Defendant MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY is a political subdivision of the State of Mississippi. Defendant may be served with process upon the Attorney General, Jim Hood, at Carroll Gartin Justice Building, 450 High Street, Jackson, Mississippi 39201, and upon the Commissioner of the Mississippi Department of Public Safety, Marshall L. Fisher, at 1900 East Woodrow Wilson Avenue, Jackson, Mississippi 39216. Defendant is an arm of the State of Mississippi.

3.

This Court has federal question jurisdiction under 28 U.S.C. § 1331 and civil rights jurisdiction under 28 U.S.C. § 1343, for a cause of action arising under Title VII of the Civil Rights Act of 1964, as amended in 1991. This action is authorized by 28 U.S.C. § 1983.

4

Plaintiff is an attorney. She was hired by Defendant and began work on October 15, 2015.

5.

On or about April 21, 2017, Plaintiff was informed that she was discharged by Defendant's chief counsel, Jim Younger. Mr. Younger gave no reason for Plaintiff's termination.

6.

During Plaintiff's employment, her job duties included working at both the Mississippi Department of Public Safety, Division of Public Safety Planning and the Criminal Information Center. In both departments, Plaintiff showed initiative, and displayed an eagerness to learn. Throughout her employment, Plaintiff received no information that she was performing a poor job, and no indication by Defendant that it was dissatisfied with her performance.

7.

A few months before Plaintiff was discharged, Defendant hired two (2) male attorneys, John G. "Trae" Sims, III, and John W. "Jay" Eads. Both of these new attorneys were hired approximately four (4) months before Plaintiff's discharge.

8.

Both of the new male attorneys, Sims and Eads, were paid more than Plaintiff and were given job titles indicating that their positions were more significant than that of Plaintiff.

9.

After Plaintiff's discharge, Eads, whom Plaintiff had instructed on the job duties of the office, took over Plaintiff's position as attorney at the Mississippi Department of Public Safety, Division of Public Safety Planning and the Criminal Information Center.

10.

There is no legitimate, non-discriminatory reason why Plaintiff would have been discharged while Defendant retained two (2) male attorneys, who were junior to Plaintiff, and who had far less job experience, except for Plaintiff's sex, female. Defendant has not assigned any legitimate, non-discriminatory reason for discharging Plaintiff and replacing her with an attorney whom she trained, and who had substantially less experience with Defendant than did she.

11.

Plaintiff has filed an EEOC charge, attached hereto as Exhibit "A," and received the right to sue letter, attached hereto as Exhibit "B."

12.

Plaintiff has suffered lost income, and mental anxiety and stress as a result of Defendant's actions.

REQUEST FOR RELIEF

Plaintiff requests actual damages in an amount to be determined by a jury, reinstatement to her employment, and reasonable attorneys' fees, costs, and expenses.

RESPECTFULLY SUBMITTED, this the 6th day of October, 2017.

MARY L. "NICKI" M. BOLAND, Plaintiff

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